REMARKS

Claims 1-83 are pending in the above-referenced application. Examiner has required Applicants to elect one of Groups I-IV in the Office Action under 35 U.S.C. §121.

Examiner's groupings are as follows:

- (1) Groups I classified in class 434, subclass 204.1;
- (2) Groups II classified in class 435, subclass 325;
- (3) Groups III and IV classified in class 435, subclass 5.

In response to the restriction and election requirement, Applicants hereby provisionally elect, Group I, encompassing claims 1-31 and 37-56, for examination purposes. Applicants reserve the right to pursue non-elected and/or cancelled subject matter in a divisional application. Applicants respectfully traverse the restriction requirement.

MPEP § 803 states that the two criteria for a proper requirement for restriction are: (1) the inventions must be independent or distinct as claimed, and (2) there must be a serious burden on the Examiner if restriction is not required.

Here, the Examiner has not shown that there would be a serious burden on the Examiner if a restriction was not required. The Examiner has shown that only two classes and three subclasses need be searched which does not appear to impose a serious burden on the Examiner. For the above reasons, the restriction requirement appears improper. Applicants respectfully request this restriction be withdrawn.

Pursuant to MPEP § 821.04, if the elected product claims are subsequently found allowable, Applicants respectfully request that withdrawn process claims that depend from or otherwise include all the limitations of the allowable product claims be rejoined.

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Date:

1/28/05

Respectfully submitted,

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#80061 v1 - PC23192A RESPONSE TO RESTRICTION REQUIREMENT